

REMARKS

After entry of the above amendments, the claims pending in the subject application are 1-2, 4-5, 7-8, and 10-11. Reconsideration of this application based on the Amendments and Remarks presented herein is respectfully requested.

Note, the references to claim numbers in the October 12, 2006 Office Action correspond to the claim numbers from Application No. 10/803,749. References to claim numbers in this response are to claim numbers used in prior office actions for this application.

Claim 2 was amended to provide antecedent basis for "organic compound" in claim 5.

ELECTION/RESTRICTIONS

Claims directed to the non-elected Groups II (quats) and III (organic compounds other than amido amines and quats) have been canceled. Specifically, claims 3, 6, 9, and 12 directed to quaternary ammonium compounds have been canceled. Claim 1 has been amended to claim the amido amines of Group I.

Claim 5 should also be rejoined (MPEP 821.04(b)) because it relates to a method for making the allowed product of claims 1 or 2. Claim 5 depends from claims 1 or 2 and contains all of the elements of claims 1 or 2.

OBVIOUSNESS TYPE DOUBLE PATENTING REJECTIONS

Claims 1, 2, 4, 7, 8, 10, and 11 were provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-14 of co-pending Application No. 10/803,749. This rejection is rendered moot with the re-filing of the a Terminal Disclaimer signed by an attorney of record along with a Revocation of Power of Attorney with New Power of Attorney.

In view of the amendments and remarks contained above, Applicants respectfully request reconsideration of the application, withdrawal of the obviousness type double patenting rejections, request that claim 5 be rejoined under MPEP 821.04(b), and request that a Formal Notice of Allowance be issued for claims 1-2, 4-5, 7-8, and 10-11. Should

the Examiner have any questions about the above remarks, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

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